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TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT

APPLICANT: Smith

DOCKET NO.: EVS-P-99-017

231F  
DP  
12-8-03  
Fee OK

SERIAL NO.: 09/510,087

GROUP ART UNIT: 3751

FILED: October 26, 2001

EXAMINER: D. Walczak

TITLE: "A MARKING DEVICE, A METHOD OF USING THE SAME AND AN ACCESSORY KIT FOR THE MARKING DEVICE"

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

In response to the Office Action dated June 23, 2003, please amend the above-identified application as follows:

IN THE SPECIFICATION:

On page 9, please replace the first full paragraph with the following:

The sheath 60 may be a rectangular piece of material when laid on a flat surface but may wrap around the barrel 52 of the marking device 50 to be fixed in place by the bands 64. When placed around the barrel 52, the sheath 60 may partially cover the barrel 52. Moreover, when placed around the barrel 52, the sheath 60 may form the split 62 between two ends of the sheath 60. Alternatively, the two ends of the sheath 60 may overlap (not shown).

IN THE CLAIMS:

Claim 1 (withdrawn): A marking device comprising:

a barrel having a body defined between a first end and a

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